

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

KEVIN POWELL,

Plaintiff,

v.

DAVID ROBINSON, LENTON TERRELL  
HUTTON, JAMES G. ROBINSON, STEVEN  
BAGATOURIAN, JEREMY HAFT, EDDIE  
GONZALEZ, MORGAN CREEK  
PRODUCTIONS, INC., PROGRAM PICTURES,  
LIONS GATE FILMS, INC., "JOHN DOE  
ENTITIES" 1-10 and "JOHN DOES" 1-10,

Defendants.

Civil Action No.: 17-cv-03785-DLI-JO

Hon. Dora L. Irizarry

**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS LIONS GATE FILMS,  
INC., MORGAN CREEK PRODUCTIONS, INC., PROGRAM PICTURES, DAVID  
ROBINSON, JAMES G. ROBINSON, STEVEN BAGATOURIAN, EDDIE GONZALEZ,  
JEREMY HAFT, AND LENTON TERRELL HUTTON PURSUANT TO FRCP  
41(a)(1)(A)(i)**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Kevin Powell (“Powell”) hereby gives notice that the above captioned action against Defendants Lions Gate Films, Inc., Morgan Creek Productions, Inc., Program Pictures, Eddie Gonzalez, David Robinson, James G. Robinson, Steven Bagatourian, Jeremy Haft, and Lenton Terrell Hutton (collectively, “Defendants”) is voluntarily dismissed as follows:

1. Powell voluntarily dismisses his Third Cause of Action (Lanham Act) and Fourth Cause of Action (Statutory Damages for Copyright Infringement) with prejudice; and
2. Powell voluntarily dismisses his First Cause of Action (Preliminary Injunction), Second Cause of Action (Actual Damages for Copyright Infringement), Fifth Cause of Action (Attorney’s Fees and Costs), Sixth Cause of Action (Constructive Trust) and Seventh Cause of Action (Accounting) without prejudice.

Accordingly, all of the claims in Powell’s Amended Verified Complaint (ECF No. 36) are dismissed as set forth above. Defendants have not served an answer or a motion for summary judgment.

SO STIPULATED.

Dated: April 10, 2018  
Los Angeles, California

Respectfully submitted,

THE LAW OFFICE  
OF KEITH WHITE, PLLC

By: /s/ Norman Keith White  
Norman Keith White

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Dated: April 10, 2018  
Los Angeles, California

Respectfully submitted,

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By: /s/ Erica J. Van Loon  
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Morgan Creek Productions, Inc., Program  
Pictures, Eddie Gonzalez, David Robinson,  
Lenton Terrell Hutton, James G. Robinson,  
Steven Bagatourian, and Jeremy Haft*

### **CERTIFICATE OF SERVICE**

I hereby certify that on April 10, 2018, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service upon the following parties and participants:

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Haft*